

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS (Boston)

In Re:
Marly Merlain

Case Number 17-10212
Chapter 13

**MOTION OF U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR MERRILL
LYNCH MORTGAGE INVESTORS TRUST, MORTGAGE LOAN ASSET-
BACKED CERTIFICATES, SERIES 2006-OPT1 AND/OR ITS SUCCESSORS
AND ASSIGNS FOR RELIEF FROM THE AUTOMATIC STAY**

Now comes U.S. Bank National Association, as Trustee for Merrill Lynch Mortgage Investors Trust, Mortgage Loan Asset-Backed Certificates, Series 2006-OPT1 and/or its successors and assigns (“Secured Creditor”) and states the following:

1. This is a proceeding for relief from the automatic stay pursuant to 11 U.S.C. § 362(d)(1) and § 362 (d)(2), and Fed. R. Bankr. P. 4001.
2. Marly Merlain (hereinafter referred to as the “Debtor”) is the mortgagor of a certain parcel of real estate known and numbered as *8 Spooner Street, North Easton, MA 02356* (the “Property”). The Property is encumbered by a first mortgage given by the Debtor to Option One Mortgage Corporation (the “Mortgage”). The Mortgage is dated June 16, 2006 and is recorded in Bristol County (Northern District) Registry of Deeds in Book 15955, Page 188.
3. The Mortgage is now in default by reason of failure of payment of principal, interest, and late fees. A copy of the original Mortgage is attached hereto and is marked Exhibit A.
4. The Mortgage secures a promissory note given by the Debtor to Option One Mortgage Corporation in the original principal amount of \$308,800.00 (the “Note”). Secured Creditor or its custodian and/or agent is, as of the date hereof, in possession of the Note. Secured Creditor is an entity entitled to enforce the Note. A copy of the Note is attached hereto and is marked Exhibit B.
5. In compliance with United States Bankruptcy Court, District of Massachusetts Local Rule 4001-1, the following information is provided to this Court:
 - a. The Debtor’s Chapter 13 Petition was filed on January 23, 2017.
 - b. The total sum now due Secured Creditor is approximately \$395,479.12 with interest through January 8, 2021.